

## MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Eugene Shore at 9:00 a.m. on February 24, 1994 in Room 423-S of the Capitol.

All members were present except: Representative Correll - Excused  
Representative Gatlin - Excused  
Representative Reinhardt - Excused  
Representative Rutledge - Excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Jill Wolters, Revisor of Statutes  
Kay Johnson, Committee Secretary

Conferees appearing before the committee:

Chairman Shore called the meeting to order and informed committee members that the minutes of February 15, 16 and 17, 1994 have been distributed. If no corrections are received by 5:00pm today, they will be considered approved.

Chairman Shore called for the sub-committee report on **HB 2773**: re-establishing the state fair board as the Kansas state fair board.

Sub-committee Chairman Lloyd thanked Representatives Rezac, Weiland and Kejr for working on this bill. Recommended changes, attachment #1, are a result of suggestions made when the Senate had a hearing on **SB 711**, specifically the need for lay people on the board. The major change to the bill is to add 6 people from the general public, selected by the Governor. Each of the five Extension Districts across the state would submit three nominations to the Governor, who would then select one. Initially, these appointees would serve staggered terms. Another change is to allow the Secretary of Agriculture, Secretary of Commerce and Housing and the Director of Extension of K-State University to appoint a designee for a term of not less than one year. The one year stipulation for designees and the staggered terms for appointees should provide continuity for the board. Another major change is to take the Commissioner of Education off the board and put on a person appointed by the Kansas Technology Enterprise Corporation (KTEC) from among the KTEC board of directors.

Representative Lloyd made a motion to pass **HB 2773** favorably. Representative Alldritt seconded the motion. Discussion followed. First and second withdrew the original motion and made a motion to adopt the amendments outlined in attachment #1. Discussion followed on why the Commissioner of Education was removed from the board, the effect of staggered terms, the possibility of adding more members to the board, and the importance of having a race and gender balanced board. The motion carried.

Representative Bryant questioned the July 1, 1994 start date for the new board. Jill Wolters, Revisor of Statutes, said the Senate combined **HB 2569** and **SB 711** which allows the previous state fair board to exist until Jan 15, 1995, at which time a new board would be in place. Representative Lloyd made a motion to make January 15, 1995 the effective date of **HB 2773** and to continue the former fair board until that time. Representative Freeborn seconded the motion. Discussion followed on when the transition from one board to another would be best, how the lag time for Governor appointed members would affect the transition and how the election of a new Governor would effect the transition. The motion carried.

Representative Lloyd made a motion to pass **HB 2773** favorably as amended. Representative Alldritt seconded the motion. The motion carried.

The meeting adjourned at 9:30am.

## HOUSE BILL No. 2773

By Committee on Agriculture

1-27

8 AN ACT abolishing the state fair board and establishing the Kansas  
9 state fair board; amending K.S.A. 74-521, 74-522 and 74-523 and  
10 repealing the existing sections; also repealing K.S.A. 74-520 and  
11 74-524.

12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. (a) The Kansas state fair board is hereby estab-  
14 lished on July 1, 1994. The Kansas state fair board shall consist of  
15 the following members:

16 (1) The secretary of agriculture or the successor of the secretary  
17 of agriculture;

18 (2) the secretary of commerce and housing;

19 (3) the director of extension of Kansas state university of agri-  
20 culture and applied science;

21 (4) ~~the commissioner of education, or a person designated by the~~  
22 ~~commissioner;~~

23 (5) one person appointed by the governor from three persons  
24 nominated by the Kansas fairs association;

25 (6) one person appointed by the governor from three persons  
26 nominated by the Kansas chamber of commerce and industry; ~~and~~

27 (7) one person appointed by the governor from three persons  
28 nominated by the travel industry association of Kansas.

29 (b) Of the persons initially appointed by the governor under  
30 subsection (a), ~~one~~ shall have a term of one year, ~~one~~ shall have a  
31 term of two years and ~~one~~ shall have a term of three years and until  
32 a successor is appointed and qualified. Thereafter, all members shall  
33 have terms of three years and until a successor is appointed and  
34 qualified.

35 (c) Any vacancy occurring on the Kansas state fair board shall be  
36 filled as the original appointment was made.

37 Sec. 2. K.S.A. 74-521 is hereby amended to read as follows: 74-  
38 521. The Kansas state fair board shall immediately organize by the  
39 election, from their own number, of a president, a vice-president  
40 and a treasurer, each of whom shall hold office for a term of one  
41 year, and until their successors are elected and qualified. The Kansas  
42 state fair board shall select and purchase a seal to authenticate all

or the secretary's designee

or the secretary's designee

or the director's designee

one person appointed by the Kansas technology  
enterprise corporation from among the board of  
directors of the Kansas technology enterprise  
corporation

; and

(8) six person's from the general public  
appointed by the governor. Of such persons  
appointed, one shall be from each of the five  
extension areas, as established in subsection  
(e), and one shall represent the state at  
large. Directors of each extension area shall  
submit three nominations to the governor. Such  
persons nominated shall be actively involved  
in agriculture production or agribusiness

three

subsections (d) and (e), see attached

House Agriculture  
2-24-94  
Attachment #1

ATTACHMENT I

(d) If any of the members able to appoint a designee does so, the designee shall be appointed for a term of not less than one year.

(e) For the purpose of this section the state shall be divided into five extension areas. The northwest extension area shall include the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis, Russell, Barton, Rush and Ness. The southwest extension area shall include the following counties: Greeley, Wichita, Scott, Lane, Pawnee, Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and Kiowa. The south central extension area shall include the following counties: Lincoln, Ottawa, Dickinson, Ellsworth, Saline, Rice, McPherson, Marion, Reno, Harvey, Butler, Kingman, Sedgwick, Cowley, Sumner, Harper, Barber, Pratt and Stafford. The southeast extension area shall include the following counties: Morris, Chase, Lyon, Osage, Franklin, Miami, Coffey, Anderson, Linn, Bourbon, Allen, Woodson, Greenwood, Elk, Wilson, Neosho, Crawford, Chautauqua, Montgomery, Labette and Cherokee. The northeast extension area shall include the following counties: Jewell, Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Mitchell, Cloud, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee and Geary.

1 ~~their such board's acts and proceedings.~~ The board shall have  
2 power to meet for the transaction of business under the call of the  
3 president ~~whenever it may be when~~ necessary; to fully control and  
4 regulate the time and manner of holding a state fair; to appoint all  
5 necessary subordinate officers and employees *within appropriations*  
6 *therefor*; to fix and establish premiums and awards for exhibitors and  
7 contestants, and pay the ~~same premiums and awards~~; to budget and  
8 expend funds for necessary printing and advertising for a state fair;  
9 and to do and perform all other matters pertinent in connection with  
10 the holding of a state fair. The board may appoint a secretary, who  
11 will be designated the general manager of the state fair, and shall  
12 be in the unclassified service of the Kansas civil service act and shall  
13 receive an annual salary fixed by the board and approved by the  
14 state ~~finance council~~ *governor*. The board members shall serve on  
15 committees which may be established by the board, or ~~its the~~ pres-  
16 ident, and to which the board members are assigned by the board  
17 or ~~its the~~ president. Members of the Kansas state fair board attending  
18 meetings of such board, or attending a subcommittee meeting thereof  
19 authorized by ~~such the~~ board, shall be paid compensation, subsis-  
20 tence allowances, mileage and other expenses as provided in K.S.A.  
21 75-3223 and amendments thereto.

22 Sec. 3. K.S.A. 74-522 is hereby amended to read as follows: 74-  
23 522. The members of the Kansas state fair board ~~shall be paid all~~  
24 ~~travel and hotel expenses actually and necessarily incurred by~~  
25 ~~them in the performance of their respective duties when at-~~  
26 ~~tending meetings authorized by the board shall be paid compensa-~~  
27 ~~tion, subsistence allowances, mileage and other expenses as provided~~  
28 ~~in K.S.A. 75-3223 and amendments thereto.~~

29 Sec. 4. K.S.A. 74-523 is hereby amended to read as follows: 74-  
30 523. The Kansas state fair board ~~shall have power to may~~ adopt  
31 rules and regulations regarding the holding of the state fair and the  
32 control and government thereof; ~~which rules and regulations shall~~  
33 ~~be published for the benefit of the public.~~

34 New Sec. 5. The state fair board established by K.S.A. 79-520  
35 is hereby abolished on June 30, 1994.

36 New Sec. 6. (a) All of the powers, duties, functions, records,  
37 property and personnel of the existing state fair board are hereby  
38 transferred to and conferred and imposed upon the Kansas state fair  
39 board.

40 (b) The Kansas state fair board created by this act shall be the  
41 successor in every way to the powers, duties and functions of the  
42 state fair board in which the same were vested prior to the effective  
43 date of this act. Every act performed under the authority of the

1-3

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1 Kansas state fair board created by this act shall be deemed to have  
2 the same force and effect as if performed by the state fair board in  
3 which such functions were vested prior to the effective date of this  
4 act.

5 (c) Whenever the state fair board or words of like effect, is re-  
6 ferred to or designated by statute, contract or other document, such  
7 reference or designation shall be deemed to apply to the Kansas  
8 state fair board created by this act.

9 (d) All rules and regulations and all orders or directives of the  
10 state fair board in existence on the effective date of this act, shall  
11 continue to be effective and shall be deemed to be the rules and  
12 regulations and orders or directives of the Kansas state fair board  
13 created by this act, until revised, amended, repealed or nullified  
14 pursuant to law.

15 (e) The Kansas state fair board created by this act shall be a  
16 continuation of the state fair board provided under K.S.A. 74-520  
17 and amendments thereto.

18 New Sec. 7. All officers and employees who were engaged im-  
19 mediately prior to the effective date of this act in the performance  
20 of powers, duties and functions of any existing state fair board which  
21 is abolished by this act, and who, in the opinion of the Kansas state  
22 fair board, are necessary to perform the powers, duties and functions  
23 of the Kansas state fair board shall remain officers and employees  
24 of the Kansas state fair board, and shall retain all retirement benefits  
25 and all rights of civil service which such officer or employee had  
26 before such date, and their services shall be deemed to have been  
27 continuous. All transfers and any abolishment of positions of per-  
28 sonnel in the classified service shall be in accordance with civil  
29 service laws and rules and regulations.

30 Sec. 8. K.S.A. 74-520, 74-521, 74-522, 74-523 and 74-524 are  
31 hereby repealed.

32 Sec. 9. This act shall take effect and be in force from and after  
33 its publication in the statute book.